



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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**PLANNING COMMISSIONERS**

Joseph H. Mueller, Chair  
John Moniz, Vice Chair  
Wayne Tanda, Commissioner

Susan Koepp-Baker, Commissioner  
Robert Benich, Commissioner

**PLANNING COMMISSION MEETING**

**APRIL 26, 2011**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

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### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

### **ORDERS OF THE DAY**

**MINUTES:** February 22, 2011 and March 8, 2011

### **CONSENT:**

1) **MEASURE C, MC-09-02: EAST DUNNE-MENDOZA:**

**Recommendation:** Adopt a Resolution to rescind

### **OTHER BUSINESS:**

2) **30 Minutes** **FY2011/12- 2015/16 CIP DISCUSSION OF PROPOSED PROJECTS**

### **PUBLIC HEARINGS:**

3) **90 Minutes**

- a) **DAA-04-05E: BARRETT-VILLAS OF SAN MARCOS:** A request for approval to amend the development agreement for the Villas of San Marcos project to allow an extension of time to commence construction on 23 single-family homes and incorporate 5 allocations granted for fiscal year 2012-13. The 41 unit single family project is located on the Southwest corner of the intersection of Barrett Ave. and San Ramon Dr. (APN 817-33-003).

**Recommendation:** Adopt Resolution recommending Council approval.

- b) **DAA-04-09F: EAST DUNNE-UCP-JASPER PARK:** A request to amend the development agreement for the Jasper Park project to allow an extension of time to commence construction on 42 single-family homes. The 78-unit single-family residential development is located on the Southwest corner of the intersection of East Dunne Ave. and San Benancio Way (APN 817-11-067 & 072).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

- c) **DAA-05-01G: MISSION VIEW-MISSION RANCH:** A request to amend the development agreement for the Mission Ranch project to allow an extension of

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time to commence construction on 17 single-family homes and incorporate 7 allocations granted for fiscal year 2012-13. The Mission Ranch project is located on the West side of Peet Rd., East of Mission View Dr. in the R-1 7,000 RPD zoning district (APN 728-32-010).

**Recommendation:** Adopt Resolution recommending Council approval.

- d) **DAA-05-09E: DEL MONTE-GIOVANNI:** A request to amend the development agreement for the Del Monte Corners project to allow an extension of time to commence construction on 6-units. The 6-unit multi-family development is located on the East side of Del Monte Ave., approximately 80 feet North of Christine Lynn Drive (APN 764-12-025).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

- e) **DAA-05-10E: BARRETT-SYNCON:** A request for approval to amend the development agreement for the Lone Oak project to allow an extension of time to commence construction on 29-units. The 52-unit single-family residential project is located on the Northwest corner of the intersection of Barrett Ave. and San Ramon Dr. in the R-1 7,000 RPD zoning district (APN 817-59-060 & 817-57-001).

**Recommendation:** Table Development Agreement Amendment request. Adopt resolution to grant exception to loss of building allocation to MC 04-21: Barrett-Syncon Homes.

- f) **DAA-06-02E: SAN PEDRO-ALCINI:** A request for approval to amend the development agreement for the Colina Vistas project to commence construction on 12 single-family attached units. The project is located on the Northwest corner of the intersection of Church St. and San Pedro Ave. (APN 817-01-001).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

- g) **DAA-06-04C: DIANA-KB HOME:** A request to amend the development agreement for the Sherimar Ranch project to allow an extension of time to commence construction on 34 units and include 31 building allocations award for fiscal year 2012-13. The 117-unit single-family detached development is located on a 42 acre site on the South side of Diana Ave. between Murphy Ave. and Ringel Dr. (APNs 728-18-012, 728-19-001, 002, 003 and 728-20-037 & 038).

**Recommendation:** Adopt Resolution recommending Council approval.

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- h) **DAA-06-05B: E. MAIN-AHLIN:** A request to amend the development agreement for the Huntington Square project to allow an extension of time to commence construction on 51 units. The 134-unit townhouse project is located at the Southwest corner of E. Main Ave. and Butterfield Blvd. (APN 726-15-001 & 726-15-073).

**Recommendation:** Adopt Resolution recommending Council approval.

- i) **DAA-09-01: MCLAUGHLIN-MALECH:** A request to amend the development agreement for a four-unit, horizontal mixed-use project to allow an extension of time to commence construction on 4 units. The project is located between Monterey Road and McLaughlin Ave., approximately 275 feet North of East Central Ave. (APNS 726-24-015 & 016).

**Recommendation:** Adopt Resolution recommending Council approval.

- j) **DAA-09-03: MURPHY-KB HOME:** A request to amend the development agreement for the Milano project to allow for an extension of time to commence construction on 24 units. The 68-unit single family attached project is located between Condit Rd. and Murphy Ave., approximately 300 feet North of East Dunne Ave. (APNS 728-17-018 & 022).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

- k) **ELBA-11-02: COCHRANE-BORELLO:** A request to extend 34 building allocations awarded for fiscal year 2009-10 to the 244-unit San Sebastian project located on the East side of Peet Rd., West of Cochrane and North of Half Rd. (APN 728-34-009).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

- l) **ELBA-11-03: MONTEREY-DYNASTY:** A request to extend 68 building allocations awarded for fiscal year 2009-10 to the 128 unit multi-family project located on the east side of Monterey Rd. approximately 600 ft. South of Vineyard Blvd. (APNS 767-23-026 & 029).

**Recommendation:** Adopt Resolution recommending or not recommending Council approval based on finding of unique circumstance.

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- m) **ELBA-10-14: EAST DUNNE – SOUTH VALLEY DEVELOPERS:** A request to extend building allocations awarded for fiscal year 2010-11 to the 50 unit multi-family project located on the southeast corner of the intersection of E. Dunne Ave. and Church St. (APNs 817-11-056 & 057)

**Recommendation:** Adopt Resolution recommending Council approval based on finding of unique circumstance.

### **OTHER BUSINESS:**

- 4) 10 Minutes **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) FOURTH QUARTERLY REPORT FOR 2010:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System.

**Recommendation:** Approve report with recommendation to forward to the City Council for approval.

### **TENTATIVE AGENDA FOR THE MAY 10, 2011 MEETING:**

- Medical Marijuana
- Home Occupation
- Multi-Family Vacancy Rate Report

### **ANNOUNCEMENTS**

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

*If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.*

### **NOTICE**

### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

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*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

**NOTICE**

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*